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Human rights questions: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Human rights and cultural diversity

Report of the Secretary-General**

I. Introduction

1. The present report is submitted pursuant to General Assembly resolution 55/91 of 4 December 2000, entitled "Human rights and cultural diversity".

2. In the above-mentioned resolution, the General Assembly requested the Secretary-General to prepare a report on human rights and cultural diversity, taking into account the views of Member States, relevant United Nations agencies and non-governmental organizations, as well as the considerations in the resolution regarding the recognition and importance of cultural diversity among all peoples; and decided to continue consideration of the question at its fifty-sixth session under the item entitled "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms".

3. In accordance with paragraph 9 of the resolution, the Secretary-General, in both a note verbale and letter dated 11 May 2001, invited Member States, relevant United Nations agencies and NGOs to transmit any information and comments relevant to the subject matter.

4. As at 29 July 2000, the following replies have been received.

II. Replies received from relevant United Nations agencies

5. Substantive information received from the United Nations Educational, Scientific and Cultural Organization (UNESCO) is summarized below.

* A/56/150.
** In accordance with General Assembly resolution 54/248, this report is being submitted on 10 July 2001 so as to include as much updated information as possible.

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6. The protection of cultural diversity and the promotion of cultural pluralism and dialogue are proposed as strategic and programmatic priorities for the organization in its draft medium-term strategy (2002-2007), and its draft programme and budget (2002-2003). In this connection, a drafting process of a UNESCO Declaration on Cultural Diversity was initiated in 2000. An initial draft was submitted to and discussed by the Executive Board at its 161st session (May-June 2001). The inter-linkage between human rights and cultural diversity is addressed in section I ("Principles"), article 1 of the text, as follows: "The safeguarding of cultural diversity is inseparable from respect for human dignity. It implies a commitment to respect human rights and fundamental freedoms, particularly the rights of groups that are disadvantaged or victims of discrimination and 'persons belonging to national or ethnic, religious and cultural minorities' to have free access to the expression of their own culture and that of others. No one may invoke cultural diversity to restrict the scope of a right recognized in the Universal Declaration of Human Rights".

7. By a decision of the Executive Board, an ad hoc working group of the Board has been established to discuss further the above-mentioned draft declaration, a revised version of which is to be submitted to the General Conference at its 31st session, to be held from 15 October to 5 November 2001.

8. Given the importance of respect for human rights in the context of cultural diversity, the Director-General suggested in his supplementary proposals to the 2002-2003 programme and budget, an additional allocation of funds (US$ 500,000) to explore the human rights perspective to cultural diversity. This proposal concentrates on advocacy for a broad understanding of — and adhesion to — cultural rights as human rights, building on the UNESCO definition of culture encompassing modes of lives, beliefs and so on.

III. Replies received from non-governmental organizations

9. Substantive information received from Centro Feminista de Información y Acción (CEFEMINA) is summarized below.

10. CEFEMINA believes that it is very commendable to adopt a resolution that tries to fight xenophobia and cultural intolerance. This type of initiative will help to achieve world peace and respect for human rights. CEFEMINA is also concerned that the broad definition of culture used in the document might also help to legitimize certain cultural practices that openly violate human rights, in particular those of women. Specifically, CEFEMINA does not agree with the view that all cultures and civilizations share a common set of universal values. As is well known, certain cultures regard women as second class human beings. CEFEMINA believes that while cultural diversity should be recognized and respected, a statement should be made to the effect that cultural practices that clash with the basic principles of human rights should be eliminated.